

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DANIEL EGIPCIACO,

Defendant.

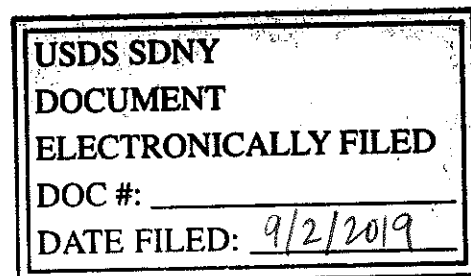
Nolle Prosequi
(Of Prior Felony Information)

05 Cr. 202 (JGK)

1. The filing of this *nolle prosequi* will dispose of the Prior Felony Information, filed on September 30, 2005, against defendant DANIEL EGIPCIACO.

2. On September 30, 2005, Prior Felony Information 05 Cr. 202 (JGK) was filed, notifying the defendant of applicable enhanced penalties, pursuant to Title 21, United States Code, Sections 851 and 841(b)(1)(A), arising out of his prior conviction, on or about April 17, 2003, in New York State Supreme Court, New York County, of Attempted Criminal Possession of a Controlled Substance in the Third Degree, a felony, in violation of New York Penal Law §§ 110 and 220.16, for which he received a sentence of five years' probation.

3. Based on a review of the nature and circumstances of the offense and the history and characteristics of the defendant, among other factors, the Government has concluded that imposing the enhanced penalties prescribed by Title 21, United States Code, Sections 851 and 841(b)(1)(A) would not be in the interests of justice.



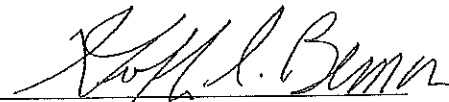
4. In light of the foregoing, I recommend that an order of *nolle prosequi* be filed as to defendant DANIEL EGIPCIACO with respect to Prior Felony Information 05 Cr. 202 (JGK), filed September 30, 2005 (Docket Number 49).



Andrew S. Dember
Assistant United States Attorney
Telephone: (212) 637-2563


Dated: New York, New York
August 26, 2019

Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of *nolle prosequi* be filed as to defendant DANIEL EGIPCIACO with respect to Prior Felony Information 05 Cr. 202 (JGK), filed September 30, 2005 (Docket Number 49).


GEOFFREY S. BERMAN
United States Attorney
Southern District of New York

Dated: New York, New York
August 26, 2019

SO ORDERED:


Honorable John G. Koeltl
United States District Judge
Southern District of New York

Dated: New York, New York
August 26, 2019

September 1, 2019.